

AN ORDINANCE

BY

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AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA BY CREATING A NEW SECTION 10-130 WHICH SHALL PROVIDE FOR THE LICENSING OF ALCOHOLIC BEVERAGE CATERERS AND TO REQUIRE THAT ALCOHOLIC BEVERAGE CATERERS OBTAIN AN EVENT PERMIT WHEN CATERING AN EVENT OR FUNCTION; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Code of Ordinances of the City of Atlanta, Georgia is hereby amended by creating a new Section 10-130 which shall provide as follows:

"Sec. 10-130. Sales Off Premises For Catered Functions.

(a) Definitions.

- (1) 'Food caterer' means any person who prepares food for consumption off the premises.
- (2) 'Licensed alcoholic beverage caterer' means any retail dealer who has been licensed pursuant to Section 10-46 et. seq. of this Code.
- (3) 'Person' means any individual, company, corporation, association, partnership, or other legal entity.

(b) Off-Premise license.

- (1) Any licensed alcoholic beverage caterer who holds a valid license from the City to sell, at a fixed location within the City, malt beverages, wine or distilled spirits by the drink for consumption on the premises and/or by the package for consumption off the premises, may be issued an off-premise license which authorizes such licensed alcoholic beverage caterer to sell alcoholic beverages in the same manner as has been authorized by the existing license, in connection with an authorized catered function.**
- (2) Application for an off-premise license as provided herein shall be made to the Chief Financial Officer upon forms to be prepared and approved by the license review board.**
- (3) The annual fee for an alcoholic beverage caterer's license shall be \$5,000.00 for each licensed location.**

(c) Event permits.

In order to distribute or sell malt beverages, wine or distilled spirits at an authorized catered function, a licensed alcoholic beverage caterer shall be required to:

- (1) make application for an event permit. The application shall include the name of the caterer; the date, address, and time of the event; the licensed alcoholic beverage caterer's license number; and the total quantity of alcoholic beverages brought into the City for the authorized catered function.**

- (2) if the event is to be catered by a caterer who has been issued an alcoholic beverage caterer's license by the City, no event permit fee shall be charged. If the event is to be catered by a caterer who has been issued an alcoholic beverage caterer's license by a jurisdiction other than the City, an event permit fee of \$50.00 shall be charged and local excise taxes shall be levied on the total quantity of alcoholic beverages brought into the City by the caterer.
- (3) Maintain the original local event permit in the vehicle transporting the alcoholic beverages to the catered function at all times.

(d) Sunday sales.

If an authorized catered function is to occur on a Sunday, the licensed alcoholic beverage caterer must possess a valid Sunday Sales Permit and must comply with all laws governing the sale of alcoholic beverages on Sunday. A copy of the Sunday Sales Permit must be provided when application is made for the event permit.

(e) Violations.

- (1) It shall be unlawful for a food caterer to distribute or sell malt beverages, wine, or distilled spirits off the premises of the food caterer's business without a license issued pursuant to this section. This subsection shall not affect any other requirements regarding a food caterer who has a license to sell alcoholic beverages on the premises of the food caterer's business.
- (2) It shall be unlawful for a licensed alcoholic beverage caterer licensed under this section to distribute or sell malt beverages, wine or distilled spirits off premises except in connection with an authorized catered

function within the scope of the event permit.

- (3) It shall be unlawful for a licensed alcoholic beverage caterer to distribute or sell malt beverages, wine or distilled spirits during any hours in which the sale of alcoholic beverages by the drink for consumption only on the premises is not permitted.
- (4) It shall be unlawful for a licensed alcoholic beverage caterer to employ any person under 21 years of age to dispense, serve, sell or handle alcoholic beverages."

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.